

Practitioner's Docket No. Kuta.T-01

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AUG 14 2007

Application Number: 10804435

Filing Date: 3/18/04

First Applicant: Terry M. Kuta

Examiner/ AU: M. Padgett/ 1762

Application Title: Headlight Lens Resurfacing Apparatus and Method

## ELECTION OF SPECIES AND RESTRICTION WITH TRAVERSE

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Commissioner for Patents:

In response to the Office Letter mailed 7/18/07 providing a 1 month period for response, please enter the following election with traversal argument in the above application:

Applicant elects, with traverse, under 35 USC 121, the invention defined in claims 1 and 2, (Examiner's Group I) drawn to a method of repairing abraded automotive headlights by sanding etc. Since no election of species has been requested, applicant takes this fact to conclude that a single species has been claimed and that no further election or restriction will be required. Applicant takes notice that a single inventor/applicant is claimed in the present application so that no restriction of inventorship need be considered.

However, applicant believes that an election should not be required in the above application because the apparatus and method of use of the apparatus do not define independent and distinct subject matter since the present method could not be practiced with materially different apparatus, and the present apparatus could not accomplish the same result or move toward the stated objectives in a materially different method. Your applicant further believes that no added